



UNITED STATES
PATENT AND
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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
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PO BOX 1450, ALEXANDRIA, VA 22313-1450
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AUG 8 2003

MERCK AND CO INC
P O BOX 2000
RAHWAY NJ 07065-0907

In re Application of
Christopher F. Claiborne et al
Serial No.: 09/741,388
Filed: December 20, 2000
Attorney Docket No.: 20282DA

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: WITHDRAWAL OF ABANDONMENT
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This is in response to the petition under 37 CFR 1.181, filed July 23, 2002, requesting withdrawal of abandonment based on a timely filed reply.

A review of the file history shows the examiner mailed a non-Final Office action to applicants on November 16, 2001, setting a one month shortened statutory period for reply. Upon failure to receive a reply the examiner held the application abandoned by Notice of Abandonment mailed to applicants on July 10, 2002. Applicants state that they replied on November 21, 2001, as evidenced by the properly executed Certificate of Mailing appended to a copy of the paper. The originally filed copy of the reply has not been located and the copy provided with the petition will be used in lieu thereof. In view of the evidence presented, the Notice of Abandonment was mailed in error and is withdrawn and the application restored to pending status with the mailing of this decision.

Applicants' petition is **GRANTED**.

The application will be forwarded to the examiner for further consideration.

Should there be any questions regarding this decision, please contact William R. Dixon, Jr., by mail addressed to Director, Technology Center 1600, PO BOX 1450, ALEXANDRIA, VA 22313-1450, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 305-7230.

Bruce M. Kisliuk
Director, Technology Center 1600